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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,946	02/14/2001	Darrel D. Cherry	10005029-1	4190

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

LIM, KRISNA

ART UNIT PAPER NUMBER

2153

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/784,946

Applicant(s)

CHERRY, DARREL D.

Examiner

Krisna Lim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. Claims 1-20 are still pending for examination.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. §102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. §102(a) as being anticipated by Neuhard et al. [U.S. Patent No. 6,335,795], hereinafter referred to as Neuhard. This reference has been used in the previous Office Action.

4. Neuhard anticipates (e.g., see Figs. 1-10) the invention substantially as claimed. Taking claim 1 as an exemplary claim, the reference anticipates a method for facilitating network device (supporting printers) capability utilization within a network, the method comprising the steps of:

a) enabling a user to select (e.g., using a user interface to select printer options, see the abstract) desired attributes of a network device for processing a job;

b) determining attributes of network devices communicating with the network via a direct communication with the network devices (e.g., see the abstract, lines 16-21);
and

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c) facilitating (supporting) processing of the job (printing job) at one of the network devices (printers) corresponding to the desired attributes (selected printer options) selected by the user (e.g., see the abstract).

5. As to claims 2-3, Neuhard discloses the steps of: receiving information corresponding to the desired attributes selected by the user; providing the user with a selection of network devices possessing attributes corresponding to the desired attributes selected by the user; and enabling the user to selected on of the network devices provided by the selection of network devices for processing the job (e.g., see the abstract, Figs. 3-10).

6. As to claim 4, Neuhard discloses the step of providing a graphical user interface (Figs. 3-10, col. 2 (lines 12-15)) for display to the user, the graphical user interface including a selection of attributes (icons functions of Figs. 3-10) corresponding to attributes possessed by previously configured network devices on the network (e.g., see the abstract, Figs. 3-10).

7. As to claim 5, Neuhard discloses the network devices are printers and the job is a print job (e.g., see the abstract, Figs. 2-10).

8. As to claim 6, Neuhard discloses the graphical user interface is viewable via a web browser (e.g., see Figs. 3-10).

9. As to claim 7, Neuhard discloses the step of receiving information from a user corresponding to initiation of a print request (e.g., user uses used a user interface to select printer options, see the abstract, Figs. 3-4, col. 2 (lines 12-15)) ; determining attributes (icons functions, selected option by the user of Figs. 3-10) of network devices (printers) communicating with the network in response to the receiving the information (user selected option)

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10. Claims 8-20 are similar in scope as of claims 1-7 with the additional language of "the user interface is generated from the group consisting of a mark-up language and a scripting language." While Neubard discloses the GUI (e.g., see Figs. 3-10) that displays certain icons, buttons, boxes, etc. on the screen, Neubard does not explicitly mention that his user interface is generated from the group consisting of a mark-up language and a scripting language. It is inherent that either the mark-up language or a the scripting language is used to generate the Neubard's GUI (e.g., see Figs. 3-10) because Markup language is a well-known universal format for structure document and data on the web (see Figs. 3-10) and the scripted language such as Java language is used to write the Web pages likes those Web pages on Figs. 3-10. Thus, claims 8-20 are rejected for the same reasons set forth above for claims 1-7.

11. Applicant's arguments filed 9/3/04 have been fully considered but they are not persuasive. In the remarks, applicants argued in substance that Neuhard fails to disclose, to teach, or to suggest a method, a logic and means "for determining attributes of network devices communicating with in the network via a direct communication with network devices." In reply, such feature is clearly disclosed by the Neuhard. For example, Neuhard discloses that the feature of determining attributes (icons functions, selected option by the user of Figs. 3-10) of network devices (printers) communicating with the network via a direct communication with network device (e.g., see the abstract, Figs. 3-10).

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE

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ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

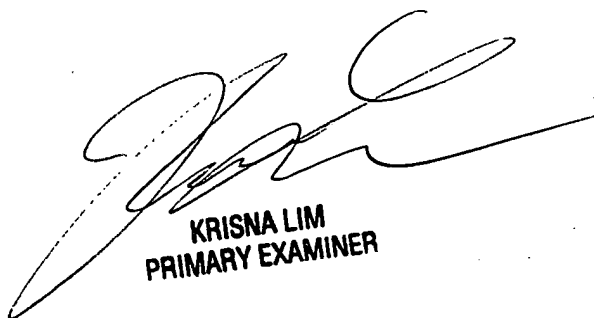
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krisna Lim whose telephone number is 571-272-3956. The examiner can normally be reached on Monday to Wednesday and Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KI

May 13, 2005



KRISNA LIM
PRIMARY EXAMINER